

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES OF THE SUBURBAN TEAMSTERS)
OF NORTHERN ILLINOIS WELFARE AND)
PENSION FUNDS,)
Plaintiffs,)
v.) No. 08 C 3708
DOTSON TRUCKING, INC.) Judge Gottschall
an Illinois corporation,) Magistrate Judge Nolan
Defendant.)

MOTION FOR ENTRY OF DEFAULT AND ORDER
COMPELLING PRODUCTION OF RECORDS

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS, by and through its
attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to the provisions
of Rule 55(a)(2) of the Federal Rules of Civil Procedure, moves this Court to enter an
Order of Default Judgment against Defendant, DOTSON TRUCKING, INC.:.

1. Suit was filed on June 30, 2008 for collection of delinquent contributions,
attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).

2. Corporate service upon the Defendant, DOTSON TRUCKING, INC., an
Illinois corporation, on July 21, 2008 and a copy of the proof of service was filed with the
court on July 28, 2008.

3. Defendant's time to plead ran August 11, 2008 and no Answer has been
made on its behalf.

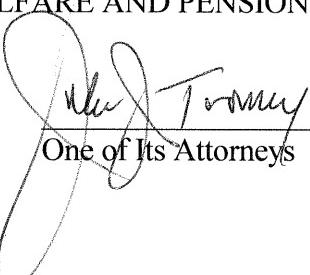
5. Plaintiffs' Complaint seeks an audit of the books and records of DOTSON
TRUCKING, INC., for the period October 1, 2007 through the present time.

6. Production of these books and records is necessary to enable Plaintiffs to
prove up a judgment in an amount certain.

WHEREFORE, Plaintiffs, pursuant to the provisions of Rule 55(a)(2) of the Federal Rules of Civil Procedure, move this Court to:

- A. Enter an Order of Default against Defendant, DOTSON TRUCKING, INC.
- B. Order Defendant to produce its books and records to Plaintiffs' accountant, within 21 days, to perform an audit for the period October 1, 2007 through the present time.
- C. Grant Plaintiffs any other relief deemed equitable and just under the circumstances.

TRUSTEES OF THE SUBURBAN
TEAMSTERS OF NORTHERN ILLINOIS
WELFARE AND PENSION FUNDS

By: 

One of Its Attorneys

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**ORDER OF DEFAULT
AND PRODUCTION OF RECORDS**

This cause coming on to be heard on Plaintiff's Motion for Entry of Order of Default and requiring production of records by DOTSON TRUCKING, INC., all parties having been sent appropriate notice, and the Court being fully apprised in the matter,

IT IS HEREBY ORDERED:

1. Defendant is found to be in default for failing to have answered the Complaint.
2. Defendant, DOTSON TRUCKING, INC., is ordered to submit the following books

and records to Plaintiffs for October 1, 2007 to the present within 21 days:

- A. All cash disbursement journals;
- B. All individual payroll records.
- C. All time records which are the basis of the above-mentioned individual payroll records;
- D. All state unemployment payroll tax returns;
- E. All state and federal certified payroll forms;

F. All union pension and welfare fund records or other records showing fringe benefit contributions on behalf of any employees;

G. All other relevant records which would tend to show compliance with the terms of the Trusts;

H. All federal and state payroll income returns; including, but not limited to 1099, W-2 and/or UCC 3, 1120 and 1065 forms;

I. All documents which show or which tend to indicate ownership in any company, regardless of its status as a corporation or partnership, which performs, in whole or in part, work for which construction or general laborers would be employed;

J. The corporate books and records of any corporation owned by the Defendant.

K. The partnership books and records of any partnership owned by the Defendant.

Date:

Entered:

JUDGE GOTSCHELL